

U.S. Patent Application Serial No. 09/926,576
Amendment dated March 24, 2004
Reply to OA of October 3, 2003

IN THE CLAIMS

Please amend claim 11 as follows:

Claim 1 (Previously Presented): An agent imparting impact resistance for polyhydroxy carboxylic acids comprising a lactic acid polyester (III) having a lactic acid unit (I) and polyester unit (II), comprised of a dicarboxylic acid (A) and a diol (B), at a weight ratio within a range of 10:90 to 90:10, a weight average molecular weight of 10,000 or more, and a glass transition temperature of 60°C or below, and wherein the diol (B) includes a dimer diol having 20 to 45 carbon atoms.

Claims 2 - 10 (Canceled).

Claim 11 (Currently Amended): A polyester composition ~~composed of a lactic acid polyester (III)~~ containing a polylactic acid (V) and an agent imparting impact resistance (IV), wherein an agent imparting impact resistance (IV) is composed of a lactic acid polyester (III) which has a lactic acid unit (I) and a polyester component (II) at a weight ratio within the range of 10:90 to 90:10, a weight average molecular weight of 10,000 or more, a glass transition temperature of 60°C or below, and the lactic acid polyester (III) comprises a block copolymer composed of lactic acid or lactide, and polyester comprising hydroxyl groups on both terminals.

U.S. Patent Application Serial No. 09/926,576
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Claim 12 (Previously Presented): The polyester composition according to claim 11, wherein a proportion of the lactic acid polyester (III) and the polylactic acid (V) is within a range of a weight ratio of 3:97 to 70:30.

Claim 13 (Original): The polyester composition according to claim 11, wherein a storage modulus of elasticity at 20°C of the lactic acid polyester (III) is 2.5 gigapascals or less.

Claim 14 (Original): The polyester composition according to claim 11, wherein the weight average molecular weight of the lactic acid polyester (III) is within a range of 20,000 to 200,000.

Claim 15 (Previously Presented): The polyester composition according to claim 11, wherein the weight average molecular weight of the polylactic acid (V) is 50,000 or more.

Claim 16 (Original): The polyester composition according to claim 11, wherein the glass transition temperature (T_g) of the polyester composition is 50°C and above.

Claim 17 (Original): The polyester composition according to claim 11, wherein an impact strength as determined by the Izod impact test method as defined in Japanese Industrial Standard (JIS) K 7110 is 3 kJ/m² or more.

U.S. Patent Application Serial No. **09/926,576**
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Claim 18 (Original): A molded article composed of the polyester composition according to claim 11.

Claim 19 (Original): A film composed of the polyester composition according to claim 11.

Claim 20 (Original): The film according to claim 19, obtained by drawing the polyester composition within a temperature range from its glass transition temperature (T_g) to 50°C above its glass transition temperature (T_g+50) $^\circ\text{C}$.